



Office of the City Clerk  
**BOARDS, COMMITTEES & COMMISSIONS**

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**MINORITY AND WOMEN BUSINESS  
ENTERPRISE (MWBE) COMMISSION**

**CREATED BY:**

Resolution No. 15463, October 8, 1990  
Ordinance No. 8741, August 5, 1996  
Resolution No. 17457, October 21, 1996  
Resolution No. 17458, October 21, 1996  
Resolution No. 17542; February 3, 1997  
Ordinance No. 10464; October 16, 2007

\* Ordinance No. 10703; August 5, 2009

**MEMBERS:**

Seven members. Each member of the Mayor and Council of the City of Tucson will appoint one member.

**QUORUM:**

A majority of the members of the Commission shall constitute a quorum.

**TERMS OF OFFICE:**

The terms of members shall be coterminous with the terms of office of the mayor or members of the city council who appointed them, or until their successors are appointed. Members shall be eligible for reappointment; but in no event may any individual serve more than a total of eight continuous years on the same body. (TCC § 10A-134).

Vacancies shall be filled by appointment in the same manner in which members are initially appointed.

Appointments to a vacated position shall be for the unexpired portion of the term.

A member who misses four consecutive meetings for any reason or who fails to attend for any reason at least forty percent of the meetings called in a calendar year shall be terminated from the Commission automatically.

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**EXEMPT FROM TCC 10A-134: No**

**FUNCTIONS:**

1. To monitor local practices and policies which may have discriminatory impact on minority and women-owned businesses in the contracting and procurement of construction, goods, and general services, as well as professional services.
2. To monitor the effectiveness of the City's Minority and Women-owned Business Enterprise Program in increasing minority and women-owned businesses participation in City contracts.
3. To determine whether the MWBE Program as adopted is sufficient to overcome discrimination and whether recommendations should be considered for additional or alternative measures to encourage minority and women participation.
4. To oversee the formation of an MWBE subcommittee and assume oversight responsibilities of this subcommittee. The oversight subcommittee will be comprised of at least two MWBE Commission members, one of whom will be named the chairperson, each appointed by the MWBE Commission's Chairperson, and representative members from the following organizations, who are willing to participate:
  - The Black Chamber of Commerce
  - The Hispanic Chamber of Commerce
  - The Arizona American Indian Chamber of Commerce
  - The Arizona Builder's Alliance
  - The Small Business Commission
  - The Grand Canyon Minority Council
  - The Metropolitan Tucson Chamber of Commerce
  - Resources for Women; and
  - The National Association of Minority Contractors.
5. To conduct hearings and report to the Mayor and Council the findings of the MWBE Subcommittee regarding the implementation and progress of the City's Minority and Women-owned Business Program, which will include the report(s) from the oversight subcommittee.
6. By-laws of the Commission are to be amended to conform to Resolution #17457 and shall be filed with the City Clerk.

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**OPEN PUBLIC MEETING LAW REQUIREMENTS:**

This public body must comply with all of the provisions of the Open Public Meeting Law, including provisions requiring that a record of all meetings be maintained. Minutes of the Commission meetings shall be filed with the City Clerk.

**SUPPORTING DEPARTMENT(S):**

Equal Employment Opportunity Office

791-4593

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*Historical Notes:*

*October 8, 1990 - Mayor and Council passed and adopted Resolution No. 15463, creating a Minority and Women-Business Enterprise Commission.*

*August 5, 1996 - Mayor and Council adopted Ordinance No. 8741; relating to Minority and Women –owned business enterprises; establishing the statistical basis for the award of goods and services and construction contracts to minority and women-owned business enterprises; providing for the procurement of goods and services, and the award of qualified and available minority and women-owned business enterprises; and, providing criteria for eligibility, certification, and appeal by amending Chapter 28 of the Tucson Code to include a new Article XIV, entitled Minority and Women-Owned Business Enterprise Program.*

*October 21, 1996 - Mayor and Council passed and adopted Resolution No. 17457, providing for the continued and expanded function and purposes of the Minority and Women Business Enterprise Commission to include review of the City's Minority and Women-Owned Business Enterprise Program; and the formation of a Minority and Women-Owned Business Enterprise Oversight Committee by amending Section D of Resolution No. 15463.*

*October 21, 1996 - Mayor and Council passed and adopted Resolution No.17458; approving and authorizing execution of an intergovernmental agreement among the City of Tucson, the City of Phoenix, and the Arizona Department of Transportation for the standardized certification of Minority and Women-owned and Disadvantaged business enterprises.*

*February 3, 1997 - Mayor and Council passed and adopted Resolution No. 17542, opposing the enactment of HB2296 preempting local government's preferential treatment of minority and women-owned business enterprises in public construction contracting.*

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*October 16, 2007 – Mayor and Council passed Ordinance No. 10464; extending the Minority and Women-owned Business Enterprise (MWBE Program through June 30, 200.*

- \* August 5, 2009 – Mayor and Council passed Ordinance No. 10703; amending Chapter 28, Article XIII, Minority and Women-owned Business Enterprise Program Section 28-147, definitions; Section 28-149, Establishment of S/M/WBE program goals for professional design, construction, and construction services projects; Section 28-150, S/M/WBE Plans for eligible projects; and Section 28-151, applicability to procurement of goods, materials and services.*